

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **FINANCE**

DATE: **JUNE 10, 2009**

Committee Members Present:

Supervisors Stec
 Belden
 O'Connor
 Bentley
 Tessier
 Taylor
 VanNess
 Kenny
 Merlino

Others Present:

Frederick Monroe, Chairman
Joan Sady, Clerk of the Board
Paul Dusek, County Attorney
JoAnn McKinstry, Deputy Commissioner of
Administrative & Fiscal Services
Kevin Geraghty, Budget Officer
Supervisor Champagne
Supervisor Girard
Supervisor Pitkin
Supervisor Sheehan
Supervisor Simmes
Supervisor Strainer
Supervisor Thomas
Frank O'Keefe, County Treasurer
Richard Murphy, Deputy Commissioner of
Fiscal Services
Rob Lynch, Deputy Treasurer
Todd Lunt, Director, Human Resources
Nicole Livingston, Deputy Clerk
*Please see attached sign-in sheet for all others
present*

Mr. Stec called the meeting to order at 12:33 p.m.

Motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously to approve the minutes of the May 6, 2009 Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Commencing the Agenda review, Mr. Stec apprised Item 1 included the Requests for Transfer of Funds that were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to approve Item 1 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec remarked that Items 2A through C were referrals from the Planning & Community Development Committee, Economic Development Corporation (EDC). He

advised Item 2A was a request for Aeon Nexus to make a presentation regarding reverse auctions to the Committee.

Len Fosbrook, President of the Economic Development Corporation, announced that EDC had been working with Aeon Nexus for a period of time. He introduced Omar Usmani, Solutions Director of Aeon Nexus, who distributed a packet to the Committee members, a copy of which is on file with the minutes.

Mr. Usmani explained that Aeon Nexus was a solutions integrator and service provider which had served the private and public sectors for ten years. He added that they had also served Fortune 100 Firms and leading government organizations at the Federal, State and Local levels. He reported that Aeon Nexus was the sole Public Sector Reseller for Ariba Software, which managed regulatory compliance and government contracting. Mr. Usmani noted that their software and services offerings were available on State and Federal Schedules to facilitate easy procurement and delivery of solutions. He apprised the component he wished to inform the Committee about was reverse auctions and group buying. He reviewed the distributed packet in detail with the Committee members. He highlighted the fact that Aeon Nexus was trying to drive larger savings from greater buying power by pooling demand throughout State, Municipal, Schools and Commercial organizations.

Following the presentation and a question and answer period, motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to authorize the County Attorney and the Purchasing Agent to research and determine whether or not the services of Aeon Nexus could be employed to benefit the County and to report back to the Committee at a later date.

Mr. Stec advised Item 2B was a request to reduce County funding for the Economic Development Corporation from the 2009 amount of \$340,000 to \$270,000, as per the request of the Budget Officer.

Motion was made by Mr. Belden, seconded by Mr. Taylor and carried unanimously to approve Item 2B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec added that Item 2C was a request to authorize the County to cover the cost of basic accounting and insurance of approximately \$500 per year to ensure that the Adirondack Regional Business Incubator (ARBI) remained viable. He noted that a source of funding needed to be determined and he recommended that it be the Contingent Fund.

Motion was made by Mr. Belden, seconded by Mr. Taylor and carried unanimously to approve Item 2C as outlined above with the source of funding to be the Contingent

Fund A.1990 469, and the necessary resolution was authorized for the next board meeting.

Mr. Stec reported that Item 3 was a referral from the Criminal Justice Committee, Probation, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$50,000 to reflect receipt of drug lab testing fees paid by probationers and to pay Quest Diagnostics, Inc.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 3 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec expounded Items 4A and B were referrals from the Health Services Committee. Item 4A, he said, was referred from Health Services, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$4,000 to reflect receipt of the Hudson Headwaters Health Network Ryan White grant funds.

Motion was made by Mr. Kenny, seconded by Mr. Taylor and carried unanimously to approve Item 4A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec added that Item 4B was referred from the Westmount Health Facility, requesting to close Capital Project No. H280.9550 280-Electronic Medical Records Documentation in the amount of \$26,977 and return remaining funds to Budget Code No. EF.60200.5803 260-Nursing/Other Equipment and Budget Code No. EF.60200.5802 210 -Nursing/Furniture/Furnishings.

Motion was made by Mr. Tessier, seconded by Mr. Kenny and carried unanimously to approve Item 4B as outlined above, and the necessary resolution was authorized for the next board meeting. *(Please note: Subsequent to the meeting, it was determined that the appropriate action pursuant to the closing of the project would be to amend the 2009 County budget to increase estimated revenues and appropriations to reflect receipt of the Interfund Transfer Revenue, rather than returning remaining funds to the specific budget codes as listed.)*

Continuing, Mr. Stec announced Items 5A through C were referrals from the Human Services Committee. He stated that Items 5A and B were referred from the Employment & Training Administration and he listed them as follows:

- A) Amending the 2009 County budget to increase estimated revenues and appropriations in the amount of \$87,287 to reflect receipt of Federal grant funds; and

- B) Amending the 2009 County budget to increase estimated revenues and appropriations in the amount of \$6,940 to reflect receipt of Federal grant funds.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Items 5A and B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Item 5C was referred from the Office for the Aging, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$26,539 to reflect receipt of funds allocated to the OFA by the American Recovery and Reinvestment Act. He added that included was a request for \$4,843.37 for the local share and he recommended the source of funding be from the Contingent Fund.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 5C as outlined above, and the necessary resolution was authorized for the next board meeting. *(Please note: Subsequent to the meeting, it was determined that the local share would be \$2,124).*

Mr. Stec remarked that Items 6A and B were referrals from the Public Safety Committee. Item 6A, he said, was referred from the Sheriff & Communications, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$36,500 to reflect receipt of 2008 Law Enforcement Terrorism Prevention Program (LETPP) funds.

Motion was made by Mr. Taylor, seconded by Mr. Bentley and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec noted that Item 6B was referred from the Office of Emergency Services, requesting to amend the 2009 County budget to increase estimated revenues and appropriations in the amount of \$109,000 to reflect receipt of Homeland Security grant funds.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Items 7A through E were referrals from the Public Works Committee. He said that Items 7A through D were referred from the Airport and he listed them as follows:

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- A) Authorizing the submission of a grant application to the Federal Aviation Administration (FAA)/New York State Department of Transportation (NYSDOT) for the purchase of the Leo Powers parcel, for an amount not to exceed \$400,000;
 - B) Authorizing a new contract with C & S Engineers to perform technical support services relative to the Powers land acquisition, for an amount not to exceed \$50,000, contingent on the FAA/NYSDOT grant approval;
 - C) Authorizing the Airport Manager to make a formal offer, contingent on the FAA/NYSDOT grant funding, on the Powers parcel located in the Town of Queensbury; and
 - D) Authorizing the Chairman of the Board to execute any and all documentation associated with the State SEQRA (State Environmental Quality Review Act) for the Powers parcel land acquisition project.

Motion was made by Mr. Tessier, seconded by Mr. Belden and carried unanimously to approve Items 7A through D as outlined above, and the necessary resolutions were authorized for the next board meeting.

Mr. Stec added that Item 7E was referred from the Parks, Recreation & Railroad, requesting to increase Capital Project No. H220.9550 280-RR Stations/Improvements in the amount of \$6,300 to add funds from sale of scrap metal ties and steel from the Thurman Station site.

Motion was made by Mr. Merlino, seconded by Mr. VanNess and carried unanimously to approve Item 7E as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec asserted Item 8 was a referral from the Traffic Safety Board, requesting to increase appropriations under STOP-DWI programs in the amount of \$9,000 to pay the salary of the new employee for the remainder of 2009.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 8 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec expounded Item 9 was a referral from the County Treasurer, requesting to review the budget plan which was attached and requested by the Budget Officer, as well as discussion on the cash flow report.

Frank O'Keefe, County Treasurer, referred to the cash flow report and commended his staff for coming within \$74,000 from actual to projected expenses. He noted that it appeared that in July there would be just over \$1 million remaining in the surplus. He reported there were three options to review to resolve the shortage of cash flow: a

Revenue Anticipation Note for up to \$3 million could be obtained; payments to the Towns could be withheld for July and August which would total approximately \$1,700,000; or \$1 million could be borrowed from the Westmount Health Facility that would have to be paid back with interest. Mr. O'Keefe recommended the authorization of a Revenue Anticipation Note to be used only if it was needed.

Mr. VanNess questioned if interest was accumulated on a Revenue Anticipation Note and Mr. O'Keefe replied that the County would be responsible for the interest payments only if the Revenue Anticipation Note was used.

Motion was made by Mr. Belden, seconded by Mr. VanNess and carried unanimously to authorize the County Treasurer to obtain a Revenue Anticipation Note if deemed necessary, for an amount up to \$3 million between now and the end of the year.

Mr. Stec advised Item 10 was a request to authorize the re-bidding and advertising for the sale of two County-owned parcels (Tax Map Parcel Nos. 288.-1-49 and 288.-1-62) in the Town of Queensbury as separate bids, subject to certain terms and conditions and he noted that a source of funding for advertising needed to be determined. He recommended that the source of funding come from the Contingent Fund.

Motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to approve Item 10 as outlined above with the source of funding for the advertising to be the Contingent Fund A.1990 469, and the necessary resolution was authorized for the next board meeting.

Mr. Geraghty requested that a balance of the Contingent Fund be provided to the Finance and/or the Budget Committee on a monthly basis.

Mr. Stec reported that Item 11 was for the County Attorney and Purchasing Agent to present the County Purchasing Policy as referred by the Real Property Tax Services Committee.

Julie Pacyna, Purchasing Agent, distributed a draft Purchasing Policy to the Committee members, a copy of which is on file with the minutes. Paul Dusek, County Attorney, explained that the request to review the Purchasing Policy had been generated from the Real Property Tax Services (RPTS) Committee because the RPTS Department wanted to purchase toner cartridges from a different source other than State contract because they could have obtained the toner for a lesser price. He recommended that the Committee members peruse the draft policy that was distributed and discussions could be held at the next Finance Committee meeting. The Committee members agreed with the recommendation.

Mr. Stec expounded Item 12 was a request from Supervisor Frank Thomas, Chairman of the County Facilities Committee, to address the Committee regarding a new contract with Novus Engineering regarding commissioning of the NYSERDA grant for the Human Services Building.

Mr. Thomas explained that NYSERDA had offered incentives for the new building, totaling \$102,549, and the amount justifies the need for a certification of the equipment being used on the project. He added that a local share was necessary to cover the certification.

Motion was made by Mr. Bentley, seconded by Mr. Belden and carried unanimously to authorize a new contract with Novus Engineering for an amount up to \$12,000 to cover the cost of the certification of equipment in order to receive the NYSERDA incentives, with the source of funding to be Capital Project No. H263.9550 280-Design and Construction of Health & Human Services Building. The necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Item 13 was a request to ratify the actions of the Chairman of the Board and to authorize an agreement with Hess Corporation as preferred supplier for natural gas through the Municipal Electric & Gas Alliance (MEGA) for a term commencing on July 1, 2009 and terminating on June 30, 2010.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Item 13 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec announced Item 14 was a request from Chairman Monroe to address the Committee regarding the Adirondack Regional Business Incubator (ARBI). Chairman Monroe reported he had received a letter requesting the County to continue to support the Program. He noted that he had responded that the Board of Supervisors saw a value in ARBI; however, he had advised that he did not foresee the County contributing any substantial funds to support it.

Mr. Stec commented that Items 15A through C were referred from the County Attorney. Mr. Dusek apprised Item 15A concerned the review of Travel Policy exemptions from using County vehicles, and an amendment to the Policy as referred by the Public Safety Committee with regard to allowing the Deputy Fire and EMS Coordinators to use their personal vehicles for County purposes.

Mr. Dusek noted that the Policy was included in the Agenda packets for review. He stated that there were two exemptions in the policy, one being the Commissioners of the Board of Elections (BOE) and the other being the employees of the Department of Social Services (DSS) subject to approval of the Commissioner of the DSS. He added

that BOE had been exempted due to the fact that frequently the Commissioners of the BOE had to leave from their homes to go to polling places and it was believed at that time, that it would be more cost effective to pay for mileage rather than rental vehicles or for the Commissioners to be traveling to the County to obtain a vehicle.

Mr. Kenny suggested that an exception be made for the BOE only during any election days and that all other times of the year, they be required to use a Fleet vehicle. Mr. Bentley noted that a County vehicle located at the Building & Codes Department was not being used. Mr. VanNess interjected that Hal Payne, Commissioner of Administrative & Fiscal Services, had discussed that particular vehicle with him with regard to possibly transferring the vehicle to another department. He added that Mr. Payne was going to speak with Supervisor Sheehan, Chairman of the Support Services Committee, concerning such.

Mr. Stec suggested that discussions be held with the BOE pertaining to the Committee's proposal for the Travel Policy prior to any action taking place and the Policy could be further addressed at the next Finance Committee meeting. Mr. VanNess questioned if the County continued to rent vehicles from Enterprise. JoAnn McKinstry, Deputy Commissioner of Administrative & Fiscal Services, responded that there were very few cars a month that were rented. She further explained that cars were only rented when there were no Fleet vehicles available.

Continuing the Agenda review, Mr. Dusek asserted Item 15B was a discussion on the Request for Proposal (RFP) for the Railroad. He reported that he had developed an RFP for a new operator to begin in 2011, with the plan to release the RFP next Friday. He questioned if the Committee would like him to delay in releasing the RFP, pending information from the New York State Department of Transportation (NYSDOT) regarding the County's options for the railroad. Mr. Belden questioned if Mr. Dusek thought that an answer would be received from the NYSDOT within a few weeks and Mr. Dusek replied he would try to obtain an answer as quickly as possible.

Discussion ensued in connection with the railroad. Following the discussions, the consensus of the Committee was to delay the release of the aforementioned RFP for one month.

Mr. Dusek said that Item 15C related to Resolution No. 766 of 2008 and a discrepancy in the parking fee share with the Village of Lake George during events. He explained that the aforementioned resolution did not provide for \$1 of Westbrook sales to go to the Village and the Mayor of the Village of Lake George had stated that it should have been included in the resolution. He added that Preferred Parking passes were sold for \$9 at the Gaslight area and the Mayor had claimed that the Village should have received \$1 of those fees and Mr. Dusek noted that he believed that the Mayor may be correct. He reviewed the resolution in detail with the Committee members, outlining how the disbursement of parking fees was to be distributed.

Discussion ensued concerning parking at the Gaslight Village property.

Following discussions, it was the consensus of the Committee that a meeting be scheduled with the Gaslight Village Management Team to discuss the issues and to report back to the Finance Committee with their findings.

Mr. Stec commented that Item 16 was a request from Supervisor Champagne to discuss a request from Adirondack Community College for additional funds due to an increase in enrollment in the amount of \$89,133.

Mr. Champagne advised that due to the length of the meeting, he would postpone the discussions until the next Finance Committee meeting.

Mr. Stec reported that Finance Committee action was required on the following items that were approved by the Personnel Committee: Items. 1B, 2, 3A-D, 4A-H, 5, 6A, 7A & B, 8A-D and 9.

Motion was made by Mr. Belden, seconded by Mr. Tessier and carried unanimously to approve Item 17 as outlined above, and the necessary resolution was authorized for the next board meeting.

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Bentley, Mr. Stec adjourned the meeting at 2:10 p.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk